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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,283	06/06/2001	Akira Kudo	1359.1049	6300

21171   7590   01/15/2008

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ART UNIT	PAPER NUMBER
2194	

MAIL DATE	DELIVERY MODE
01/15/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/874,283	KUDO ET AL.
	Examiner	Art Unit	
	VAN H. NGUYEN	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 December 2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *4,6,8,10,14,16 and 20-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *4, 6, 10, 14, 16, and 20-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to the request for reconsideration filed 12/10/2007.

This Office Action vacates the Final rejection mailed 09/10/2007 and

responsive to the Amendment filed 06/19/2007.

Claims 4, 6, 8, 10, 14, 16, and 20-22 are currently pending in this application.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 4, 6, 10, 14, 16, and 20-22 are rejected under 35 U.S.C. 102(b) as being

anticipated by **Materna et al.** (US 4,714,995).

<u>As to claim 20</u>:

Materna teaches a computer-readable storage storing a program for controlling a

computer to execute, as a perpetuation object to be operated singly, collaborating a

plurality of information processors based on different architectures *(e.g., a system for*

integrating a number of host computers having heterogeneous data bases so that any

identical data items in the data bases are maintained consistent with each other ... The

local data bases of the various host computers are referred to as heterogeneous because

they have different organizational schema or structures and different record formats for

storing data) [see the Abstract and the discussion beginning at col. 5, line 8], by:

- generating an information identification object that determines information to be

  stored in each of the plurality of information processors *(e.g., The dictionary*

  module 64 contains information with respect to each common data base entity.

  This information includes, for each entity, an entity name, an alternative name (if

  necessary), node number identifiers of each local data base that contains the

  entity, an indication of the schema classification, an update template for each

  schema, the owner identification, and possible descriptive information concerning

  the entity. This dictionary information can be stored in any convenient format for

  access through a data base management system (DBMS) 84) [see the discussion

  beginning at col.10, line 29].

- referring to collaboration information including at least information on a

  communication method between the information processors and generating a role

  object as an active role with respect to an information processor that is a data

  transmission origin, and a role object as a passive role with respect to an

  information processor that is a data transmission destination *(e.g., When*

  distribution module 62 is ready to transmit updates to one of the host computer

systems 10, the distribution module requests the external communications module

60a to send the local computer a SEND command, together with the

accompanying data and the intended destination of the data. (Depending on the

actual communications protocol employed to communicate over the network 12,

each SEND, RECEIVE or AUDIT command may have to be preceded by a .

CONNECT command to establish communication between the data translator 22

and the update manager 32 of a desired host computer system 10.) From the point

of view of the distribution module 62, once a SEND command is issued, the

external communications module will automatically transmit the message, and the

distribution module may continue performing other functions...The RECEIVE

command is basically a polling command, instructing a selected host computer

system to transmit either data transactions, status acknowledgment messages, or

AUDIT responses) [see the discussion, beginning at col. 9, line 22]; and

- referring to the stored collaboration information and generating a relating object

  for transmitting information to be stored in each of the information processors

  between the role objects, in accordance with a communication method between

  the information processor that is a data transmission origin and the information

  processor that is a data transmission destination *[e.g., The distribution module*

  obtains from dictionary module 64 information specifying which host computers

  need to receive the updates and a "template" specifying how to reformat or

  translate the data into the schema of the host computer's data base to which it is

  to be sent. The distribution module then passes all this information to the

appropriate transform module 69, which performs the actual data schema

translation. The transform module 69 then stores the translated representation of

the data update in output queue 86, to await transmission by external

communications module 60a to the appropriate host computer 10... This multi-

tasking computer organization is particularly suited to the use of multiple

computer processors; see the discussion beginning at col.11, line 3].

As to claim 21:

Materna teaches timing information on timing of passing of information between the

plurality of information processors *[e.g., see the discussion beginning at col.3, line 14].*

As to claim 22:

Materna teaches the communication is selected from, among other things, batch

communication *(e.g., transmitted as a batch) [see the discussion, beginning at col. 9, line*

22].

As to claims 14 and 16:

Refer to claims 20 and 22, respectively, for rejection.

As to claim 10:

Refer to claim 20 above for rejection.

As to claims 4 and 6:

Refer to claims 20 and 22, respectively, for rejection.

Indication of Allowable Subject Matter

3.   Claim 8 appears to be allowable over the prior art of record, subject to a final search.

Response to Arguments

4.   Applicant's arguments filed 06/19/2007 have been fully considered but they are not persuasive.

During examination, the claims must be interpreted as broadly as their terms reasonably allow. The pending claims must be "given the broadest reasonable interpretation consistent with the specification." In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

Applicant argues in substance that Materna does not teach storing information on a communication method as collaboration information.

In response, Materna's teaching *"[T]he dictionary module 64 contains information with respect to each common data base entity. This information includes, for each entity, an*

entity name, an alternative name (if necessary), node number identifiers of each local

data base that contains the entity, an indication of the schema classification, an update

template for each schema, the owner identification, and possible descriptive information

concerning the entity. This dictionary information can be stored in any convenient format

for access through a data base management system (DBMS) 84" [see the discussion

beginning at col.10, line 29] is interpreted as read-on *storing information on a*

communication method as collaboration information.

Applicant argues in substance that Materna does not teach information identification

object used in determining information to be stored in each of the storages of the

information processors.

In response, Materna teaches the claimed *information identification object used in*

determining information to be stored in each of the storages of the information

processors ([T]he distribution module obtains from dictionary module 64 information

specifying which host computers need to receive the updates and a "template" specifying

how to reformat or translate the data into the schema of the host computer's data base to

which it is to be sent. The distribution module then passes all this information to the

appropriate transform module 69, which performs the actual data schema translation.

The transform module 69 then stores the translated representation of the data update in

output queue 86, to await transmission by external communications module 60a to the

appropriate host computer 10... This multi-tasking computer organization is particularly

suited to the use of multiple computer processors; see the discussion beginning at col.11,

line 3].

Applicant argues in substance that Materna does not teach generating means for

generating role object as an active role with respect to information processing means that

is a data transmission origin, and a role object as a passive role with respect to

information processing means that is a data transmission destination.

In response, Materna's teaching *"[W]hen distribution module 62 is ready to transmit*

updates to one of the host computer systems 10, the distribution module requests the

external communications module 60a to send the local computer a SEND command,

together with the accompanying data and the intended destination of the data.

(Depending on the actual communications protocol employed to communicate over the

network 12, each SEND, RECEIVE or AUDIT command may have to be preceded by a

CONNECT command to establish communication between the data translator 22 and the

update manager 32 of a desired host computer system 10.) From the point of view of the

distribution module 62, once a SEND command is issued, the external communications

module will automatically transmit the message, and the distribution module may

continue performing other functions...The RECEIVE command is basically a polling

command, instructing a selected host computer system to transmit either data

transactions, status acknowledgment messages, or AUDIT responses) [see the discussion,

beginning at col. 9, line 22] reads-on the limitations as broadly claimed.

Applicant argues in substance that Materna does not teach communication method is

selected from a plurality of kinds of communication methods.

In response, Materna teaches the communication is selected from, among other things,

batch communication *(e.g., transmitted as a batch) [see the discussion, beginning at col.*

9, line 22].

It is noted that claims 6 and 22 require **only one** of *real communication, delayed batch*

communication, or batch communication since the claims recite "wherein **the**

communication method is selected from a plurality of kinds of communication methods

including *real communication, delayed batch communication,* and *batch*

communication".

Conclusion

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time .

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than

SIX MONTHS from the mailing date of this final action.

Contact Information

6.   Any inquiry or a general nature or relating to the status of this application should

be directed to the TC 2100 Group receptionist: (571) 272-2100.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to VAN H. NGUYEN whose telephone number is (571)

272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM-

6:00PM. The examiner can also be reached on alternative Friday. If attempts to reach the

examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM

THOMSON can be reached at (571) 272-3718.

The fax phone number for the organization where this application or proceeding is

assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

VAN H. NGUYEN
PRIMARY EXAMINER